

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING, ROOM 113
THURSDAY, APRIL 2, 2009
8:30 A.M.**

Commissioners Present: Bernie Heier, Chair
Ray Stevens, Vice Chair
Larry Hudkins
Bob Workman
Deb Schorr

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
and Interim Lancaster Manor Administrator
Dan Nolte, County Clerk
Cori Beattie, Deputy County Clerk
Ann Taylor, County Clerk's Office

The Chair opened the meeting at 8:30 a.m.

AGENDA ITEM

**1 APPROVAL OF THE STAFF MEETING MINUTES, THURSDAY,
MARCH 26, 2009**

MOTION: Workman moved and Schorr seconded approval of the March 26, 2009 Staff Meeting minutes.

Stevens noted the following correction: Item 2C should reflect there was a report on the March, rather than May, Hickman City Council Meeting (See Pages 1 and 7).

ROLL CALL ON THE MINUTES AS CORRECTED: Hudkins, Workman, Stevens and Schorr voted aye. Heier abstained from voting. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Information from the National Association of County Officials (NACo) on Energy Efficiency and Conservation Block Grant (EECBG) Program (Exhibit A)
- B. Report on Public Building Commission (PBC)
- C. Report on Meeting with Lincoln Journal Star Editorial Board

MOTION: Stevens moved and Hudkins seconded approval of the additions to the agenda. Hudkins, Workman, Heier, Stevens and Schorr voted aye. Motion carried.

3 LEGISLATIVE UPDATE - Gordon Kissel and Joe Kohout, Kissel/E&S Associates (Legislative Consultants)

Gordon Kissel, Legislative Consultant, presented a legislative update and a report on bills of interest (Exhibits B & C).

Joe Kohout, Legislative Consultant, said the Legislature's Appropriations Committee held a hearing on the stimulus package and said the federal government is beginning to provide guidance on use of the funds. He also reported an ad hoc committee, comprised of nine senators, was formed to discuss a package of behavioral health legislation: LB 136 (Change provisions for eligibility for medical assistance); LB 346 (Adopt the Children and Family Behavioral Health Support Act); LB 356 (Direct distribution of General Funds for Nebraska children in need of behavioral health services); LB 601 (Provide for a Medicaid waiver for community-based mental health services) and LB 603 (Adopt the Behavioral Health Workforce Act and provide funding).

In response to a question from Hudkins, Kissel said LB 218 (Change, eliminate and provide state aid to various political subdivisions) is a Speaker priority bill. He said Senator Giese has an amendment to put jail reimbursement back in as part of the formula. The loss to Lancaster County would be \$600,000. He added that the Governor will cut jail reimbursement from the budget, if LB 218 is not successful.

ADDITIONS TO THE AGENDA

C. Report on Meeting with Lincoln Journal Star Editorial Board

Schorr said she and Gwen Thorpe, Deputy Chief Administrative Officer and Interim Lancaster Manor Administrator, met with the Lincoln Journal Star Editorial Board and gave them a tour of the facility.

ACTION ITEMS

A. Letter to Sinclair Hille Architects Regarding Jamaica North Trail for Nebraska Department of Road (NDOR) Audit (See Agenda Packet)

MOTION: Schorr moved and Hudkins seconded to authorize the Chair to sign the letter. Schorr, Stevens, Heier, Workman and Hudkins voted aye. Motion carried.

- B. Microcomputer Requests:
 - 1. C#53412, \$7,221.79, from Adult Probation for Microsoft Office 2007 STD, Twenty-Four (24) Licenses Only

Item was held for additional information.

- 2. C#53421, \$1,449.94, from Emergency Management for One (1) New PC, Hardware and Software License

MOTION: Hudkins moved and Stevens seconded approval. Schorr, Stevens, Heier, Workman and Hudkins voted aye. Motion carried.

- 3. C#53444, \$2,579.06 from Juvenile Probation for One (1) PC, Four (4) Monitors and One (1) Software License.

MOTION: Hudkins moved and Workman seconded approval. Hudkins, Workman, Heier, Stevens and Schorr voted aye. Motion carried.

- C. Request to Submit Grant Application to the Nebraska Office of Highway Safety (\$7,350.00 for "Click It or Ticket" Mobilization)

MOTION: Workman moved and Hudkins seconded approval. Hudkins, Workman, Heier, Stevens and Schorr voted aye. Motion carried.

ADMINISTRATIVE OFFICER REPORT

- A. Management Team Meeting (April 9, 2009)

An overview of services the County Grants Coordinator can provide, a proposed smoking ban and plans to offer smoking cessation drugs or classes to employees who smoke and a roundtable discussion were suggested.

- B. Mayor's Blue Ribbon Task Force on Healthcare Safety Net

Stevens reported he and Kit Boesch, Human Services Administrator, have also been asked to serve on the task force.

Board consensus was to have Stevens and Eagan serve as the County's representatives.

C. Community Mental Health Center Grants Management

Dennis Meyer, Budget and Fiscal Officer, appeared and suggested it would be appropriate for the County Grants Coordinator to assume management of the Community Mental Health Center's grants.

Hudkins requested periodic reports on the County's grants.

Meyer suggested they be scheduled at mid-year and at the end of the fiscal year.

4 SMOKING BAN UPDATE - Sue Eckley, County Risk Manager; Joan Anderson, Lancaster County Medical Society (LCMS) Executive Director

Joan Anderson, Lancaster County Medical Society (LCMS) Executive Director, said LCMS is willing to contribute up to \$5,000 towards the County's plans to offer smoking cessation drugs or classes to employees who smoke (see March 19, 2009 Staff Meeting minutes), provided the County matches that amount. She added she would be willing to contact the Community Health Endowment and American Cancer Society to see if they would be willing to make a contribution, as well.

Workman asked whether the offer would be jeopardized if allowances were made for residents of Lancaster Manor, the County owned nursing home facility.

Anderson said she does not believe it would be an issue.

Sue Eckley, County Risk Manager, said Dean Settle, Community Mental Health (CMHC) Director, has indicated he would want to exclude CMHC clients from a smoking ban.

In response to a question from Stevens, Anderson said employees will need a prescription for smoking cessation drugs and suggested the Board check with Blue Cross Blue Shield Association (administrator of the County's health insurance plan) to see whether they are covered under the plan. If so, the funds could be used to assist employees with co-pays, up to a certain amount. She noted Medicaid now covers smoking cessation aids and suggested the Board may want to consider adopting their criteria. Anderson added that LCMS may be able to assist temporary employees who do not qualify for health insurance with medication assistance.

Minette Genuchi, County Board Administrative Assistant, appeared and said she contacted Wal-Mart to see whether they would be willing to donate smoking cessation prescription starter packs to the County or serve as a community resource, but has not received a response.

Kerry Eagan, Chief Administrative Officer, noted the Board needs to notify the labor unions that it wants to institute this program and ask if they are in agreement.

Board consensus to continue to work on the details, possibly including the City and State.

Schorr suggested it may be an appropriate topic for the next City-County Common Meeting.

Stevens said it may be premature. He said he and Workman discussed moving towards a tobacco-free campus with the Mayor and said he agreed to discuss it with his department directors.

5 POTENTIAL LITIGATION - Sue Eckley, County Risk Manager

MOTION: Schorr moved and Hudkins seconded to enter Executive Session at 9:22 a.m. for discussion of potential litigation. Hudkins, Workman, Heier, Stevens and Schorr voted aye. Motion carried.

Hudkins exited the meeting.

MOTION: Stevens moved and Workman seconded to exit Executive Session at 9:35 a.m. Workman, Heier, Stevens and Schorr voted aye. Hudkins was absent from voting. Motion carried.

DISCUSSION OF BOARD MEMBER MEETINGS

A. Lancaster Manor Advisory Board - Schorr

Schorr said there was a report on resident activities. She said the census is low, due to the death of several hospice patients in the past few weeks. Schorr also reported that the letter from the Board to Lancaster Manor residents was positively received.

B. Joint Budget Committee (JBC) - Stevens, Schorr

Stevens said C. J. Johnson, Program Administrator for the Region V Mental Health, Alcoholism & Drug Abuse Program, reported on the closing the Integrated Care Coordination Unit (ICCU). He said they also discussed: 1) A program that would hire a doctor and psychiatrist to serve as triage and transition patients to a "medical home", which would be the Peoples' Health Center; and 2) How the stimulus bill would apply to human service agencies.

Hudkins returned to the meeting at 9:40 a.m.

6 PENSION REVIEW COMMITTEE (PRC) RECOMMENDATION REGARDING INCOMEFLEX

Eagan reported the following recommendation from the Pension Review Committee (PRC):

The Lancaster County Board of Commissioners should proceed immediately with adding IncomeFlex funds to the investment arrays for the 401(a) Lancaster County Employees Retirement Plan and the 457(b) Deferred Compensation Program.

MOTION: Stevens moved and Workman seconded to: 1) Accept the recommendation of the Pension Review Committee (PRC); and 2) Direct the County Attorney's Office to prepare the appropriate documentation and schedule action on the regular Board of Commissioners Meeting agenda. Hudkins, Workman, Heier, Stevens and Schorr voted aye. Motion carried.

7 MARKED ASSESSOR VEHICLES - Norm Agena, County Assessor/Register of Deeds; Rob Ogden, Chief Field Deputy Assessor/Register of Deeds

Workman noted a recent complaint from a constituent about one of the County Assessor's unmarked vehicles slowly driving through his neighborhood, which is near an elementary school. The constituent felt the County Assessor's vehicles should be marked.

Norm Agena, County Assessor/Register of Deeds, agreed but said he tried magnetic signs in the past and they were frequently stolen. He said he would be willing to have lettering placed directly on the vehicles but is not willing to spend a lot of money doing so.

Board consensus was to ask the County Engineer to make the signage in his sign shop.

ADDITIONS TO THE AGENDA

- A. Information from the National Association of County Officials (NACo) on Energy Efficiency and Conservation Block Grant (EECBG) Program (Exhibit A)

Don Killeen, County Property Manager, said NACo is sponsoring a free webinar on understanding funding opportunities in the Energy Efficiency and Conservation Block Grant (EECBG) Program. He said there is potential for funding of the jail project and

suggested participation by the District Energy Corporation (DEC). **NOTE:** DEC will provide heating and cooling for the new jail.

It was noted the Mayor has appointed Milo Mumgaard to fill an administrative assistant position in the Mayor's Office while that person is on leave and will eventually serve as the Energy Sustainability Coordinator. Killeen agreed to invite him to the webinar and the next DEC meeting.

B. Report on Public Building Commission (PBC)

Killeen said Urban Development has informed him that Property Management's shop in the old Naval Reserve Building on North 5th Street will need to be relocated by April 28th because the building will be redeveloped into a housing project. He noted there are plans to construct a new shop on Southwest 40th and "O" Street, the site of the new jail, but said Property Management will need to rent a facility in the interim.

Hudkins pointed out there will be a budget impact.

DISCUSSION OF BOARD MEMBER MEETINGS

C. Lincoln Independent Business Association (LIBA) Monthly Meeting - Hudkins, Workman

Workman and Hudkins said Lancaster Manor was discussed. Hudkins said LIBA members indicated it is their preference is to use the private sector, whenever possible. He said they also inquired about the Emerald water situation.

D. Meeting with Lancaster Senate Delegation - Schorr, Hudkins

Schorr said she and Hudkins explained the Request for Qualifications (RFQ) process and provided information on cash flow and Medicare/Medicaid issues.

Hudkins said there was a perception that Lancaster Manor was running at a deficit and that the County was financing it out of property tax monies. He said it was the Senators' perception that the Renewal and Replacement Fund was a fund that Lancaster County held, rather than a fund that was held within Lancaster Manor.

Schorr said she did not recall any discussion of the Renewal and Replacement Fund.

Hudkins stated Senator Haar particularly had a number of questions along that line.

E. Monthly Meeting with Mayor - Stevens

Stevens said they discussed moving toward a tobacco-free campus and the Railroad Transportation Safety District (RTSD's) establishment of "quiet zones" (a railroad grade crossing at which trains are prohibited from sounding their horns in order to decrease the noise level for nearby residential communities) in the City.

Workman said they also discussed a recent incident at the Lancaster Event Center in which a young girl was severely injured when she was kicked by a horse and said they asked the Mayor to check on Lincoln Fire and Rescue's (LFR's) response time.

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Hudkins said LIBA members also expressed concern regarding the response time for the incident at the Lancaster Event Center.

8 COMMUNITY MENTAL HEALTH CENTER MAINTENANCE - Dean Settle, Community Mental Health Center (CMHC) Director; Scott Etherton, Crisis Center Program Manager; Don Killeen, County Property Manager

Dean Settle, Community Mental Health Center (CMHC) Director, said Region V has rejected CMHC's request for funding to hire a full-time maintenance worker for the Crisis Center. He asked that the Board give consideration to funding the position.

Don Killeen, County Property Manager, agreed there is a need for the position and said he has included the position in his budget request. He added he would like to get someone hired soon.

MOTION: Hudkins moved and Workman seconded to authorize Don Killeen, County Property Manager, to proceed with hiring one (1) additional maintenance worker for the Community Mental Health Center's (CMHC's) Crisis Center.

In response to a question from Heier, Settle said some of the cost could be offset with a rate adjustment.

ROLL CALL: Hudkins, Workman, Stevens and Schorr voted aye. Motion carried.

Schorr asked Settle whether he anticipates increased use of the Crisis Center, due to closing of the Community Transition Program at the Lincoln Regional Center (LRC).

Settle said it is a concern. He explained there will still be psychiatric beds at LRC but they won't be rehabilitation beds.

9 SENIOR COMPANION PROGRAM CONTRACT - Tom Fox, Deputy County Attorney; Dean Settle, Community Mental Health Center (CMHC) Director

Tom Fox, Deputy County Attorney, gave a brief overview of the Senior Companion Program and expressed concern that the County could have tort liability by participating.

Dean Settle, Community Mental Health Center (CMHC) Director, said the pilot program will be closely monitored and will extend services with minimal risk.

The Board will take action on the contract at a regular County Board of Commissioners meeting.

10 SIX MONTH SALARY REVIEW FOR TRAVIS PARKER, COMMUNITY MENTAL HEALTH CENTER DEPUTY DIRECTOR - Dean Settle, Community Mental Health Center (CMHC) Director; Travis Parker, Community Mental Health Center (CMHC) Deputy Director; John Cripe, Classification and Pay Manager

John Cripe, Classification and Pay Manager, suggested a 3% increase would be appropriate for Travis Parker, Community Mental Health Center (CMHC) Deputy Director, since that is what has typically been granted in the past.

Dean Settle, Community Mental Health Center (CMHC) Director, gave an overview of Parker's job responsibilities.

In response to a question from Stevens, Parker indicated he received a 10% increase when he was made deputy director.

Stevens asked how much of an increase the directors and deputy directors received this year.

Cripe said it was 2.5% increase, noting in some cases there were other adjustments. He said Parker did not received an increase at that time since he was newly appointed to his position.

MOTION: Hudkins moved and Workman seconded to grant the recommendation of a 3% salary increase for Travis Parker, Community Mental Health Center (CMHC) Deputy Director, and schedule formal action at a regular Board of Commissioners Meeting.

Settle inquired about the effective date.

Cripe suggested it be effective the beginning of the pay period following the Board's formal action.

Stevens said he favors a 2.5% increase since that is what the other directors received.

FRIENDLY AMENDMENT: Workman offered a friendly amendment to adjust the increase to 2.5%.

The maker of the motion did not accept the friendly amendment.

FRIENDLY AMENDMENT: Schorr offered a friendly amendment to adjust the increase to 2.75%.

The maker of the motion and the seconder accepted the friendly amendment.

ROLL CALL ON THE MOTION AS AMENDED: Hudkins, Workman, Schorr, Stevens and Heier voted aye. Motion carried.

11 BYRNE FUND GRANT FOR ADDITIONAL STAFFING - Gary Lacey,
County Attorney

Gary Lacey, County Attorney, presented information on attorney caseloads (Exhibit D) and said he included two (2) additional attorneys and one (1) additional staff person in his budget request (estimated cost is \$250,000). He said he understands that budget situation and requested authorization to submit an application for Byrne Program funding (a three-year grant) to fund the positions. **NOTE:** The Edward Byrne Memorial State and Local Law Enforcement Assistance Program makes federal aid available to state and local criminal justice agencies.

MOTION: Hudkins moved and Stevens seconded to authorize the County Attorney to apply for Byrne Program funding for two (2) additional attorneys and one (1) additional staff person.

Stevens asked whether the County will be obligated to retain the three (3) employees at the end of the three-year grant.

Lacey said he is not sure because he has not received the grant materials yet.

Schorr said she would prefer to hold the request until Lacey has more specifics on the grant requirements.

ROLL CALL: Hudkins, Workman, Heier, Stevens and Schorr voted aye. Motion carried.

12 ACTION ITEMS

- A. Letter to Sinclair Hille Architects Regarding Jamaica North Trail for Nebraska Department of Road (NDOR) Audit (See Agenda Packet)
- B. Microcomputer Requests:
 - 1. C#53412, \$7,221.79, from Adult Probation for Microsoft Office 2007 STD, Twenty-Four (24) Licenses Only
 - 2. C#53421, \$1,449.94, from Emergency Management for One (1) New PC, Hardware and Software License
 - 3. C#53444, \$2,579.06 from Juvenile Probation for One (1) PC, Four (4) Monitors and One (1) Software License.
- C. Request to Submit Grant Application to the Nebraska Office of Highway Safety (\$7,350.00 for "Click It or Ticket" Mobilization)

Items A, B and C were moved forward on the agenda.

13 CONSENT ITEMS

There were no consent items.

14 ADMINISTRATIVE OFFICER REPORT

- A. Management Team Meeting (April 9, 2009)
- B. Mayor's Blue Ribbon Task Force on Healthcare Safety Net
- C. Community Mental Health Center Grants Management

Items A, B and C were moved forward on the agenda.

15 PENDING

There were no pending items.

16 DISCUSSION OF BOARD MEMBER MEETINGS

- A. Lancaster Manor Advisory Board - Schorr
- B. Joint Budget Committee (JBC) - Stevens, Schorr
- C. Lincoln Independent Business Association (LIBA) Monthly Meeting -
Hudkins, Workman
- D. Meeting with Lancaster Senate Delegation - Schorr, Hudkins
- E. Monthly Meeting with Mayor - Stevens

Items A, B, C, D and E were moved forward on the agenda.

- F. Chamber Coffee - Stevens, Schorr

Stevens said he and Schorr presented information on Lancaster Manor and rural business initiatives and said City Council representatives discussed outcome-based budgeting.

Hudkins exited the meeting at 11:02 a.m.

- G. Nebraska Innovation Zone Commission (NIZC) - Heier, Hudkins

Heier said discussion focused on design standards along the interstate corridor.

17 ADJOURNMENT

MOTION: Schorr moved and Stevens seconded to adjourn the meeting at 11:10 a.m. Schorr, Stevens, Workman and Heier voted aye. Hudkins was absent from voting. Motion carried.

Dan Nolte
Lancaster County Clerk